

Administration of Barack Obama, 2016

Letter to Congressional Leaders on Termination of Emergency With Respect to the Actions and Policies of the Government of Burma

October 7, 2016

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with subsection 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report that I have issued an Executive Order (the "order") that terminates the national emergency declared in Executive Order 13047 of May 20, 1997, and revokes that order, Executive Order 13310 of July 28, 2003, Executive Order 13448 of October 18, 2007, Executive Order 13464 of April 30, 2008, Executive Order 13619 of July 11, 2012, and Executive Order 13651 of August 6, 2013.

The President issued Executive Order 13047 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of the Government of Burma, in response to a deepening pattern of severe repression by the State Law and Order Restoration Council, the then-governing regime in Burma. In Executive Order 13047, the President also determined and certified that, for purposes of section 570(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), the Government of Burma had committed large-scale repression of the democratic opposition in Burma after September 30, 1996, and imposed a prohibition on new investment in Burma. The scope of the national emergency with respect to Burma was modified and additional steps were taken to respond to the threat posed by the actions and policies of the Government of Burma, and further actions were taken under Burma sanctions statutes, namely the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) and the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286) (the "JADE Act"), in Executive Orders 13310, 13448, 13464, 13619, and 13651.

In the order, I have determined that the situation that gave rise to the national emergency with respect to Burma has been significantly altered by Burma's substantial advances to promote democracy, including historic elections in November 2015 that resulted in the former opposition party, the National League for Democracy, winning a majority of seats in the national parliament and the formation of a democratically elected, civilian-led government; the release of many political prisoners; and greater enjoyment of human rights and fundamental freedoms, including freedom of expression and freedom of association and peaceful assembly. With these advancements, U.S. national security and foreign policy interests no longer support the blocking of assets and other measures imposed by Executive Orders 13047, 13310, 13448, 13464, 13619, and 13651. For these reasons I have determined that it is necessary to terminate the national emergency declared in Executive Order 13047 and to revoke that order, and Executive Orders 13310, 13448, 13464, 13619, and 13651. While Burma faces significant challenges, including the consolidation of its democracy, the United States can, and intends to, use other means to support the government and people of Burma in their efforts to address these challenges.

I hereby report to the Congress that, pursuant to section 5(i) of the JADE Act, I have determined and certify that it is in the national interest of the United States to waive, and have waived, the sanctions described in section 5(b) of the JADE Act.

I am enclosing a copy of the Executive Order I have issued.

Sincerely,

BARACK OBAMA

NOTE: Identical letters were sent to Paul D. Ryan, Speaker of the House of Representatives, and Joseph R. Biden, Jr., President of the Senate.

Categories: Communications to Congress : Burma, U.S. national emergency, letter on termination.

Subjects: Burma : Democracy efforts; Burma : U.S. national emergency, termination.

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